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Counsel for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOPI VEDACHALAM and KANGANA
BERI, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

TATA AMERICA INTERNATIONAL
CORPORATION, a New York
corporation; TATA CONSULTANCY
SERVICES, LTD, an Indian Corporation;
and TATA SONS, LTD, an Indian
Corporation.

Defendants.

CASE NO. C 06-0963 (VRW)

**STIPULATION AND [PROPOSED]
ORDER RE: DEFENDANTS' MOTIONS
TO (1) STAY PROCEEDINGS PENDING
THE RESOLUTION OF APPEAL; (2)
COMPEL ARBITRATION OF PLAINTIFF
KANGANA BERI'S CLAIMS; AND (3)
MOTION TO DISMISS AMENDED
COMPLAINT**

1 **WHEREAS**, Defendants filed three motions that are currently pending before this
 2 Court—a Motion to Stay the District Court Proceedings Pending the Resolution of Defendants’
 3 Appeal (“Motion to Stay”); a Motion to Compel Arbitration of Plaintiff Kangana Beri’s Claims
 4 (“Motion to Compel Arbitration”); and a Motion to Dismiss the Amended Complaint Under Fed.
 5 R. Civ. Pro. 12(B)(6) (“Motion to Dismiss”);

6 **WHEREAS**, the Court and the parties held a Case Management Conference on April 3,
 7 2007, at which conference the parties and Court decided that the Motion to Stay would be heard
 8 first, on May 10, 2007, and (if the proceedings were not stayed) the Motions to Compel
 9 Arbitration and to Dismiss would be heard thereafter, on June 14, 2007;

10 **WHEREAS**, on April 13, 2007, Plaintiffs filed with the Court an agreed Stipulation and
 11 [Proposed] Order Re: Defendants’ Motions To (1) Stay Proceedings Pending The Resolution of
 12 Appeal; (2) Compel Arbitration of Plaintiff Kangana Beri’s Claims; and (3) Motion to Dismiss
 13 Amended Complaint;

14 **WHEREAS**, the purpose of the April 13, 2007 agreed Stipulation and Proposed Order
 15 was to promote judicial efficiency as more fully set forth in the Stipulation;

16 **WHEREAS**, on April 19, 2007, the Court issued a Clerk’s Notice that, among other
 17 things, stated that “per Counsel’s request, Defendants’ Motion to Compel Arbitration currently
 18 set for hearing on June 14, 2007 is re-set for hearing on June 21, 2007 at 2:00 p.m.” The Clerk’s
 19 Notice, however, did not address certain other issues concerning the pending Motions to Compel
 20 Arbitration or Dismiss;

21 **THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:**

- 22 1. Defendants’ Motion to Compel Arbitration, currently set for hearing on June 14, 2007, is
 23 re-set for hearing on June 21, 2007 at 2:00 p.m.; Plaintiff’s opposition to Defendants’
 24 Motion to Compel Arbitration is due May 18, 2007 and Defendants’ reply in further
 25 support of their Motion to Compel Arbitration is due June 7, 2007;
- 26 2. Defendants’ Motion to Stay, currently set for hearing on May 10, 2007 and Defendants’
 27 Motion to Dismiss, currently set for hearing on June 14, 2007, are continued to the next
 28

1 available hearing date at least 35 days after the Court issues an order on Defendants'
2 Motion to Compel Arbitration;

- 3 3. Plaintiffs agree that they will enter into stipulations as are necessary to continue the
4 briefing schedule of Defendants' appeal of the Court's March 13, 2007 Order until after
5 this Court decides Defendants' pending Motion to Compel Arbitration; and
6 4. Plaintiffs agree that they will enter into a stipulation that any appeal of the Court's order
7 on Defendants' Motion to Compel Arbitration, be consolidated with the Defendants'
8 pending appeal of the Court's March 13, 2007 Order.

9 **IT IS SO STIPULATED.**

10
11 Dated: April 24, 2007

RUKIN HYLAND DORIA & TINDALL LLP

12
13 By: /S/
Steven M. Tindall

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18 Dated: April 24, 2007

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28 *Counsel for the Plaintiffs*

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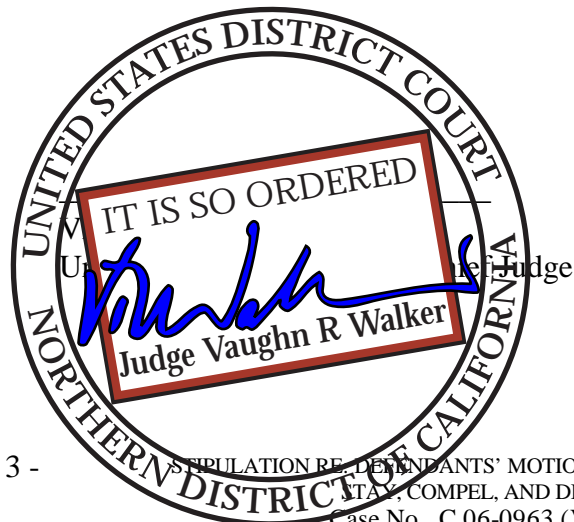
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*Counsel for Defendants TATA AMERICA
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CONSULTANCY SERVICES, LTD., and TATA SONS,
LTD.*

IT IS SO ORDERED.



ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

DATED: April 24, 2007

By: /S/
Daniel M. Hutchinson

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